

LAGOMARSINO LAW

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*Attorneys for Plaintiff***UNITED STATES DISTRICT COURT****DISTRICT OF NEVADA**

JUSTYN HORNOR, individually,

Plaintiff,

vs.

BRANDON WEY, individually; REFLEX
MEDIA, INC, a Nevada Corporation; ROE
ENTITIES I – V, inclusive,

Defendants.

AND ALL RELATED CLAIMS.

CASE NO.: 2:22-cv-01840-RFB-DJA

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES****(THIRD REQUEST)**

IT IS HEREBY STIPULATED AND AGREED between the parties and their undersigned attorneys that the discovery cut-off date of March 6, 2024, be continued for a period of sixty (60) days from the Court's prior Order (ECF No. 36), up to and including **May 7, 2024**, for the purpose of allowing the parties to complete written discovery, complete the depositions of the remaining parties, experts, and lay witnesses, and any other discovery the parties wish to conduct.

I. DISCOVERY COMPLETED TO DATE

- Plaintiff and Defendants have engaged in a significant amount of written discovery requests, the most recent of which was Plaintiff Justyn Hornor's Fifth Supplement to his Initial Disclosures on October 24, 2023.
- Plaintiff has conducted several depositions, including those of Heather Pressley, Wade Jones, Ulysses Diaz, Ruben Buell, Lordmichael Bautista, and Marc Hall.

II. DISCOVERY YET TO BE COMPLETED

The Parties have yet to complete the following discovery (individual or 30(b)(6) designees);

- the depositions of the remaining named parties;

- limited depositions of fact witnesses, if any;
- subpoenas *duces tecum* and the depositions of third-party percipient witnesses;
- expert witness disclosures and expert witness depositions;
- additional written discovery which may include written discovery to one another and/or additional subpoenas to third parties; and
- any additional discovery the parties wish to conduct.

The Parties reserve the right to conduct additional discovery that is permitted by the Federal Rules of Civil Procedure.

III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

While the parties have been diligent in conducting discovery in this matter, the following issues have been unavoidable:

Plaintiff's counsel was in trial in The Superior Court of Los Angeles from August 1, 2023 through August 31, 2023. Immediately following that trial, Plaintiff's counsel began preparing for a trial which was originally scheduled to begin in District Court, District of Nevada, on September 12, 2023 in Reno, Nevada, but which was ultimately moved to October 16, 2023 and lasted through October 25, 2023.

As scheduled, the initial expert disclosure deadline is currently January 8, 2023. As a result of Plaintiff's counsel's trial schedule, discovery slowed during the months of August, September, and October. Plaintiff's counsel is working diligently to review, obtain, and finalize any remaining discovery which needs to be obtained. This includes obtaining, and/or confirming the lack of existence of, additional medical records from Plaintiff which stayed certain third-party discovery efforts by Defendants. (ECF No. 27). Depending on the results, Defendants will need to serve several additional third-party subpoenas to obtain medical records regarding Plaintiff's relevant pre-existing conditions. The Parties do not believe enough time remains under the existing schedule to properly evaluate and obtain experts based on the discovery which is in the process of being obtained. Both parties are working diligently to avoid any further extensions in this litigation and agree that such avoidance is both possible and a priority.

IV. PROPOSED EXTENDED DEADLINES

	<u>Current</u>	<u>Proposed</u>
Discovery cut-off	03/06/23	Tuesday, May 7, 2024
Deadline to amend pleadings and add parties	12/11/23	Friday, February 9, 2024
Deadline for initial expert disclosures	01/08/24	Friday, March 8, 2024
Deadline for rebuttal expert disclosures	02/05/24	Friday, April 5, 2024
Deadline to file dispositive motions	04/08/24	Friday, June 7, 2024
Deadline to file pre-trial order	05/05/24	Friday, July 5, 2024 or 30 days after the dispositive motions have been decided.

This request for an extension is made in good faith and joined by all the parties in this case. The Request is timely pursuant to LR 26-3. Trial is not yet set in this matter and dispositive motions have not yet been filed. Accordingly, this extension will not delay this case. Since this request is a joint request, no party will be prejudiced. The extension will allow the parties the necessary time to complete discovery.

IT IS SO STIPULATED AND AGREED.DATED this 4th day of December, 2023.DATED this 4th day of December, 2023.**LAGOMARSINO LAW****SF FIRM, LLP**/s/ Taylor Jorgensen/s/ Jacob Fannesbeck

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*Attorneys for Plaintiff**Attorneys for Defendants***IT IS SO ORDERED. 12/5/2023**

By: _____

DANIEL J. ALBREGTS

United States Magistrate Judge